

**REVISED NOTICE OF TYPE III
DEVELOPMENT REVIEW
APPLICATION, OPTIONAL
SEPA DETERMINATION OF
NON-SIGNIFICANCE & PUBLIC HEARING**



The Clark County Department of Community Development has received an application for development review, as described below. Based on a review of the submitted application materials, the County expects to issue a **Determination of Non-Significance (DNS)** for the proposal allowed by state law and Clark County Code (CCC), Section 40.570.040(E) – Optional DNS Process. As lead agency, the county has determined that the requirements for environmental analysis, protection, and mitigation measures are adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state, or federal laws rules, as provided by RCW 43.21.240 and WAC 197-11-158. Our agency will not require any additional mitigation measures under SEPA. The proposal may include mitigation under applicable codes and the project review.

Comments received within the deadline will be considered in the review of the proposal. Your response to this notice may be your only opportunity to comment on the environmental impacts of this proposal. No additional comment period will be provided unless probable significant environmental impacts are identified during the review process, which would require additional study or special mitigation. The proposal may include mitigation under applicable codes and the project review process may incorporate or require mitigation measures regardless of whether an Environmental Impact Statement (EIS) is prepared.

**CLOSING DATE FOR PUBLIC COMMENTS
DECEMBER 23, 2009**

Information regarding this application can be obtained by contacting the staff contact person listed below, or visit the Public Service Center, Development Services Division, 1300 Franklin Street, 3rd Floor, Vancouver, Washington.

The Clark County Hearings Examiner will conduct the public hearing on ****January 28, 2010 at 6:00 P.M., at Public Service Center, 1300 Franklin St., Vancouver, Washington, Sixth Floor Suite 680.** Parking is available in the parking garage on the north side of the Public Service Center (access off Franklin St.) after 5:30pm.

Project Name: FELIDA VIEW TOWNHOMES

Case Number: PLD2009-00048; SEP2009-00084; VAR2009-00013;
BLA2009-00034; EVR2009-00045

Location: 3001 NW 117TH Circle

Request: The applicant is requesting to subdivide approximately 1.91 acres into 18 single-family residential lots in the R-12 zoning district.

Applicant: Osprey Ventures LLC
Dan Wisner
4910 NW 127th Street
Vancouver, WA 98685
(360)607-7849
Dwisner@comcast.net

Contact Person: Sturtevant, Golemo & Associates
Attn.: Scott Taylor
2005 Broadway
Vancouver, WA 98663
(360)993-0911; (360)993-0912 fax
Staylor@sgaengineering.com

Property Owner: Same as applicant

Zoning: R-12

Comp Plan Designation: UM

Parcel Number(s): 188966-005

Township: 3N **Range: 1E** **¼ of Section: NW ¼ of Sec 33**

Applicable Code Sections :

Clark County Code Chapter: 40.220.020 (Residential Districts, R-12), 40.350 (Transportation), 40.350.020 (Concurrency), 40.385 (Storm Water Drainage and Erosion Control), 40.430 (Geologic Hazard Area), 15.12 (Fire Code), 40.570.080 (SEPA), 40.570.080 (C) (3) (k) (Historic & Cultural Preservation), 40.540.040 (Subdivision Ordinance), 40.610 (Impact Fees), 40.370.010 (Water Supply), 40.500 (Process), RCW 58.17 (State Land Division Laws)

Neighborhood Contact:

Felida Neighborhood Association, Jamie Allen, President, PO Box 61552
Vancouver, WA 98666, 573-4030, E-mail: gaudeamus@earthlink.net

Staff Contact Person:

Planner Name: Michael Uduk (360) 397-2375, Ext. 4385
E-mail: Michael.uduk@clark.wa.gov
Division Managers Name: Michael Butts, (360) 397-2375, Ext. 4137
E-mail: Travis.goddard@clark.wa.gov

Please email SEPA comments to:
Michael.uduk@clark.wa.gov

Note: If mailing comments, an accurate mailing address for those submitting comment must be included or they will not qualify as a "Party of Record" and, therefore, will not have standing to appeal the decision.

If written comments or documents are to be hand delivered, please submit them to the Public Service Center, 1st floor.

Responsible Official: Michael V. Butts, Development Services Manager
Public Service Center, Department of Community Development, 1300 Franklin Street,
P.O. Box 9810, Vancouver, WA 98666-9810

Application Filing date: September 25, 2009;
Fully Complete Date: October 13, 2009;
Date of First notice: October 27, 2009
Date of Second notice: December 8, 2009

SEPA Options:

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS = Determination of Significance** (The impacts cannot be mitigated through conditions of approval and, therefore, requiring the preparation of an Environmental Impact Statement (EIS);
- **MDNS = Mitigated Determination of Non-Significance** (The impacts can be mitigated through conditions of approval); or,
- **DNS = Determination of Non-Significance** (The impacts can be addressed by applying the County Code).

Timelines/Process:

Decisions on Type III applications are made within 92 calendar days of the Fully Complete date (noted above), unless placed on hold for the submittal of additional information.

SEPA Appeal Process:

A **procedural SEPA appeal** is an appeal of the determination (i.e., determination of significance, determination of non-significance, or mitigated determination of non-significance). A **substantive SEPA appeal** is an appeal of the conditions required to mitigate for probable significant issues not adequately addressed by existing County Code or other law.

Issues of compliance with existing approval standards and criteria can still be addressed in the public hearing without an appeal of this SEPA determination.

A **procedural appeal** must be filed within fourteen (14) calendar days of this determination, together with the appeal fee. Such appeals will be considered in the

scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

Appeals must be in writing and contain the following information:

1. The case number designated by the County and the name of the applicant;
2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 40.510.030(H) of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the Development Services Manager. All contact with the Development Services Manager regarding the petition, including notice, shall be with this contact person;
3. The specific aspect(s) of the decision and/or SEPA issue being appealed, the reasons why each aspect is in error as a matter of fact or law, and the evidence relied, on to prove the error; and,
4. A check for the appeal fee (made payable to the Department of Community Development).

The appeal request and fee shall be submitted to the Department of Community Development, Customer Service Center, at the address listed below.

The decision of the Hearing Examiner is final unless there is:

- A motion filed for reconsideration within fourteen (14) days of written notice of the decision, as provided under Clark County Code, Section 2.51.160; or,
- An appeal is filed with Clark County Superior Court.

ACCOMMODATION OF PHYSICAL IMPAIRMENTS

The Public Service Center is wheelchair accessible. If you need auxiliary aids or services in order to attend, contact the Clark County ADA Office. **Voice** (360) 397-2000; **Relay** (800) 833-6384; **E-mail** ADA@clark.wa.gov.

Information Available on the County Web Page:

- "Weekly Preliminary Plan Review Status Report," (includes current applications, staff reports and final decisions):
(<http://www.clark.wa.gov/commdev/active-landuseN.html>)
- Pre-Application Conferences and Public Land Use Hearing Agendas:
(<http://www.clark.wa.gov/commdev/agendasN.asp>)
- Applications and Information Handouts for each Type of Land Use Permit:
(<http://www.clark.wa.gov/commdev/applicationsN.html>) (*Landuse*)

Phone: (360) 397-2375; Fax: (360) 397-2011

Web Page at: <http://www.clark.wa.gov>

Attachments: Proposed project site/land division plan

- Map of property owners receiving notice

Agency Distribution:

This notice is being provided to the following agencies with jurisdiction whose services maybe impacted by implementation of this proposal:

Federal Agencies:	U.S. Army Corps of Engineers - Enforcement Division
Tribes:	Cowlitz Indian Tribe Yakama Nation Chinook Tribe
State Agencies:	Department of Natural Resources (S.W. Region) Department of Ecology Department of Fish and Wildlife Department of Transportation
Regional Agencies:	Fort Vancouver Regional Library Southwest Clean Air Agency Vancouver-Clark Parks & Recreation
Local Agencies:	Clark County Department of Community Development Development Services Development Engineering Fire Marshal Clark County Health Department Clark County Public Works Transportation Division Clark County Conservation District Clark County Water Resource Council City of Vancouver Transportation
Special Purpose Agencies:	Fire Protection District #6 Clark Public Utilities Clark Regional Wastewater District/City of Vancouver Water/Sewer
The Media	The Columbian The Oregonian The Reflector Vancouver Business Journal The Post Record
Other:	Applicant Clark County Neighbors Clark County Natural Resources Council Clark County Citizens United C-Tran Neighborhood Association

Add Attachment for Agencies: SEPA checklist

RCW 197-11-960 Environmental Checklist

ENVIRONMENTAL CHECKLIST

Purpose of Checklist

The State Environmental Policy Act (SEPA), chapter 4321C RCW requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer or if a question does not apply to your proposal, write "do not know" or "does not apply". Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." In addition, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (Part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

ENVIRONMENTAL CHECKLIST

A. BACKGROUND

1. Name of proposed project, if applicable:
Felida View Townhome Subdivision
2. Name of applicant:
Osprey Ventures LLC.
Attn: Dan Wisner
3. Address and phone number of applicant and contact person:
Applicant: 4910 NW 127th Street
Vancouver, WA 98685
PH: 360-607-7849

Contact: 2005 Broadway
Vancouver, WA 98660
Attn: Eric Golemo or Scott Taylor
(360) 993-0911
4. Date checklist prepared:
August 28, 2009
5. Agency requiring checklist:
Clark County
6. Proposed timing or schedule (including phasing, if applicable):
To be constructed fall 2012
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
No
8. List any environmental information you know about that has been prepared or will be prepared that is directly related to this proposal.
None
9. Do you know whether applications are pending for governmental approvals or other approvals of other projects directly affecting the property covered by your proposal?
If yes, explain:
No
10. List any governmental approvals or permits that will be needed for your proposal, if known.
Clark County, Clark Public Utilities, Clark Regional Waste Water District and Fire Dept.

11. Give a brief, complete description of your proposal, including the proposed uses and the size of the project site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.
The 1.91-acre site will be divided into a 18 lot single-family townhome subdivision. The site currently has one single-family home with associated outbuildings. Lot size will average 3,470± square feet.
12. Location of the proposal:
3001 NW 117th Circle, Serial Number 188966-005.

B. ENVIRONMENTAL ELEMENTS

1. Earth
- a. General description of the site: Flat, rolling, hilly, steep, slopes, mountainous, etc:
Flat
 - b. What is the steepest slope on the site (approximate percent slope)?
10%
 - c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils specify them and note any prime farmland.
(HoB) Hillsboro silt loam
 - d. Are there any indications or history of unstable soils in the immediate vicinity? If so, describe.
No
 - e. Describe the purpose, type, and approximate quantities of any filling or grading proposal. Indicate source of fill.
Approximately 15,000 cubic yards on-site grading for infrastructure development.
 - f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe:
Yes, the soil could erode due to exposure to rain during construction.
 - g. About what percentage of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?
60%

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:
Silt fencing, inlet protection, mulching, and seeding.

2. AIR

- a. What types of emissions to the air would result from the proposal (i.e. Dust, automobile odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.
Construction equipment will emit exhaust. Air may get dusty during construction.
- b. Are there any off site sources of emissions or odor that may affect your proposal? If so, generally describe:
No
- c. Proposed measures to reduce or control emissions or other impacts to air, if any:
None

3. WATER

- a. SURFACE:
- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.
No
- 2) Will the project require any work over, in, or adjacent to (within 200 feet) of the described water? If yes, please describe and attach available plans.
No
- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.
N/A
- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.
No
- 5) Does the proposal lie within a 100-year flood plain? If so, note location on the site plan.
No

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No

b. GROUND WATER

1) Will ground water be withdrawn, or will water be discharged to ground water? Give a general description, purpose, and approximate quantity if known:

Some on site infiltration of treated stormwater may occur.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example, domestic sewage, industrial, containing the following chemicals..., agricultural, etc). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None

c. WATER RUNOFF (including storm water):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities if known). Where will this water flow? Will this water flow into other waters? If so, describe:

Stormwater from the site will be treated in a storm filter or approved BMP before being released at less than predeveloped rates to the existing system at the intersection in NW 31st Ave. and NW 116th Street.

2) Could waste materials enter ground or surface waters? If so, describe.

Yes, motor vehicles could leak contaminants that could enter.

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any

The stormwater will be treated and detained onsite.

4. PLANTS

a. Check or circle types of vegetation found on the site:

Deciduous tree: **alder**, maple, aspen, **other**:

Evergreen tree: **fir**, cedar, **pine**, other:

Shrubs: **misc.**

Grass: **misc.**

Crop or grain:

Wet soils plants: cattail, buttercup, bullbrush, skunk cabbage, other:

Water plants: water lily, eelgrass, milfoil, other:

Other types of vegetation:

- b. What kind and amount of vegetation will be removed or altered?
Grass, trees, and shrubs will be stripped for roadway and home construction.
- c. List threatened or endangered species known to be on or near the site:
None
- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:
Private residential landscaping

5. ANIMALS

- a. Circle any known birds and animals which have been observed on or near the site or are known to be on or near the site:

Birds: hawk, heron, eagle, **songbirds, other:**
Mammals: deer, bear, elk, beaver, **other:**
Fish: bass, salmon, trout, herring, shellfish, other:
- b. List any threatened or endangered species known to be on or near the site.
None known
- c. Is the site part of a migration route? If so, explain.
No
- d. Proposed measures to preserve or enhance wildlife, if any:
N/A

6. ENERGY AND NATURAL RESOURCES.

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.
Electricity or natural gas will be used to heat the homes and electricity for lighting.
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe:
No

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any.
Comply with state building and energy codes.

7. ENVIRONMENTAL HEALTH

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe:

No

- 1) Describe special emergency services that might be required:

Fire, police and ambulance

- 2) Proposed measures to reduce or control environmental health hazards, if any:

Public water and sewer will serve the subdivision.

- b. Noise

- 1) What types of noise exist in the area that may affect your project (For example: traffic, equipment, operation, other)?

Light traffic noise from NW 31st Avenue may be heard on some of the lots.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

7am –7pm construction noise

- 3) Proposed measures to reduce or control noise impacts, if any:

None

8. LAND AND SHORELINE USE:

- a. What is the current use of the site and adjacent properties?

The site currently has one single-family residence with associated outbuildings. The site is surrounded by NW 31st Avenue to the west, a single-family residence on acreage to the north, Felida View Subdivision to the east and Tiara Place Subdivision to the south.

- b. Has the site been used for agriculture? If so, describe:

No

- c. Describe any structures on the site:

One single-family residence with associated outbuildings are on site.

- d. Will any structures be demolished? If so, what?
Yes, all structures will be removed before construction begins.
- e. What is the current zoning classification of the site?
R-12
- f. What is the current comprehensive plan designation of the site?
UM
- g. If applicable, what is the current shoreline master program designation of the site?
N/A
- h. Has any part of the site been classified as an “environmentally sensitive” area? If so, specify.
No
- i. Approximately how many people would reside or work in the completed project?
36
- j. Approximately how many people would the completed project displace?
3
- k. Proposed measures to avoid or reduce displacement impacts, if any:
None
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
The proposed development is compatible to the area as a residential subdivision.

9. HOUSING

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low income housing.
18 new middle income homes.
- b. Approximately how many units, if any would be eliminated. Indicate whether high, middle, or low income housing.
1 middle income home.
- c. Proposed measures to reduce or control housing impacts, if any:
None

10. AESTHETICS:

- a. What is the tallest height of any proposed structure(s), not including antennas?
What is the principal exterior building material(s) proposed?
Two story structure (35')
Wood or Concrete based Siding
- b. What views in the immediate vicinity would be altered or obstructed?
None
- c. Proposed measures to reduce or control aesthetic impacts, if any:
None

11. LIGHT AND GLARE

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?
Street lights and house lighting will occur at night.
- b. Could light or glare from the finished project be a safety hazard or interfere with views?
No
- c. What existing off-site sources of light or glare may affect your proposal?
None known
- d. Proposed measures to reduce or control light and glare impacts, if any:
Proper orientation and shading of light sources.

12. RECREATION

- a. What designated and informal recreational opportunities are in the immediate vicinity?
None
- b. Would the proposed project displace any existing recreational uses? If so, describe:
No
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:
None

13. HISTORIC AND CULTURAL PRESERVATION

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.
None known
- b. Generally describe any landmarked or evidence of historic, archaeological, scientific, or cultural importance to be on or next to the site.
None known
- c. Proposed measures to reduce or control impacts, if any:
N/A

14. TRANSPORTATION

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.
The project will gain access from NW 117th Circle from the north and NW 31st Avenue from the west. A new on-site road(NW 117th Cir.) is proposed to access the new lots and lots 7-8 and 15-17 will be served by shared driveways.
- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?
Yes, Ctran Route #2 is two blocks north of the site on NW 119th Street
- c. How many parking spaces would the completed project have? How many would the project eliminate?
**36+ added
2 eliminated**
- d. Will the proposals require any new roads or streets or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private)?
Street improvements are proposed for NW 31st Avenue to meet county requirements. A couple feet of additional asphalt will be poured and vertical curb and gutter will be added along with a detached 5' concrete sidewalk.
- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.
No
- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.
**Weekday Daily Trips – 139
AM peak hour (7:30-8:30am) - 15 trips (3 in, 12 out)
PM peak hour (4:30-5:30pm) - 14 trips (9 in, 5 out)**

- g. Proposed measures to reduce or control transportation impacts, if any:
Provide adequate sight distance and vision clearance at the improved intersection and entrance to the subdivision.

15. PUBLIC SERVICES

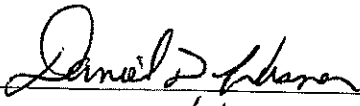
- a. Would the project result in an increased need for public services (for example: Fire protection, police protection, health care, schools, other)? If so, generally describe:
The subdivision will require all public services and they are all available to serve the site.
- b. Proposed measures to reduce or control direct impacts on public services, if any.
None

16. UTILITIES

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:
Electricity, natural gas, water, refuse service, telephone, sanitary sewer
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity, which might be needed.
Water: Clark Public Utilities
Sewer: Clark Regional Waste Water District
Telephone: QWest
Electricity: Clark Public Utilities
Gas: NW Natural Gas

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature  Mr.

Date submitted 9/2/09

Owners of property
that were sent notice

NW 1/4 of Section 33 T3R1E WM



Major Roads
State
State On-Ramp
Interstate
Interstate On-Ramp
Primary Arterial
Arterial
Roads
Municipal Jurisdiction
Unincorporated
Incorporated

Community Development (Development Serv

Plot Date: Dec 7, 2009

Map produced by:

Information shown on this map was collected from several sources. Neither Clark County or the agency producing this document accept responsibility for any inaccuracies that may be present

(Scale 1:1769.14) 50 0 50 100 150 200 Feet

